

S003456

2004, 2005, 2006

Please Complete and Return this Form by JULY 1, 2007

Primary Owner: U S LOS PADRES NATL FOREST

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING  
U S LOS PADRES NATL FOREST  
6755 HOLLISTER AVE STE 150  
GOLETA, CA 93117

STATEMENT NO.: 003456  
CONTACT PHONE NO.: 707-542-4700

Source Name: UNNAMED STREAM  
Tributary To: THIRTY-FIVE CANYON  
County: San Luis Obispo  
Diversion Within: SE $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 1 T32S, R17E, MB&M

Year of First Use: 1914  
Parcel Number:

- A. Water is Used Under: Riparian claim  Pre-1914 right  Other (explain): \_\_\_\_\_
- B. Year of First Use: (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) \_\_\_\_\_ CFS \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2004	X	X	X	X	X	X																		
2005	X	X	X	X	X	X																		
2006	X	X	X	X	X	X																		

- D. Purpose of Use – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering CATTLE; Domestic \_\_\_\_\_

Other (specify) WILDLIFE

- E. Changes In Method of Diversion – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES \_\_\_\_\_  
Describe any water conservation efforts you have initiated:

NO

- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 water use, show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES        NO       .
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:  
Year                  (AF/MG) Year                  (AF/MG) Year                  (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:  
Year                  (AF/MG) Year                  (AF/MG) Year                  (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES        NO       .

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES        NO       .
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year                  (AF/MG) Year                  (AF/MG) Year                  (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES        NO       .

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 20 FEBRUARY, 2008 at SANTA MARIA, California

SIGNATURE: Thomas S. Murphy

PRINTED NAME: THOMAS G MURPHY  
(first name) (middle initial) (last name)

COMPANY NAME: LOS PADRES NATIONAL FOREST

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed; water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights In California, and (3) Appropriation of Water in California.

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fill

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: U S LOS PADRES NATL FOREST

U S LOS PADRES NATL FOREST  
6144 CALLE REAL  
GOLETA, CA 93117

STATEMENT NO: S003456



SOURCE: UNST

TRIBUTARY TO: THIRTY-FIVE CANYON

COUNTY: SAN LUIS OBISPO

DIVERSION

WITHIN: SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  SECTION 1, T32S, R17E, MB&M.

TELEPHONE NUMBER:

(805) 683-6711

YEAR OF FIRST USE: 1962

PARCEL NO:

A. Water is used under: Riparian claim ; Pre 1914 right \_\_\_\_\_; Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Annual
1995	✓	✓	✓	✓	✓	✓	✓							
1996	✓	✓	✓	✓	✓	✓	✓							
1997	✓	✓	✓	✓	✓	✓	✓							

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres. Stockwatering cattle SD; Domestic \_\_\_\_\_

Other (specify) wildlife

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4/30, 1998 at Santa Maria, California

SIGNATURE: Melody Fountain

PRINTED NAME: Melody Fountain

COMPANY NAME: Los Padres National Forest

FIRST NAME

MIDDLE INIT

(LAST NAME)

See back of page for General Information. If there is insufficient space for your answers,  
please number them in the space provided on the back of this form.

### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same water shed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversions and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Water Rights for Stockponds Constructed Prior to 1969"
- "Information Pertaining to Water Rights in California"
- "Allocation of Water in California"

Statement of Water Diversion and Use

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

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P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503  
(916) 324-5676

Fy# 204  
Pond

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 003456

U S LOS PADRES NATL FOREST  
42 AERO CAMINO 6144 Cal 1/4 Real/  
GOLETA, CA 93117

TELEPHONE NUMBER:  
805-693-6711

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED STREAM

TRIBUTARY TO: THIRTY-FIVE CANYON

COUNTY: SAN LUIS OBISPO

DIVERSION

WITHIN: SE1/4 OF SW1/4 SECTION 01, T32S, R17E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts  Gallons  
below are:  Acre-feet  
 \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	✓	✓	✓	✓	✓	✓	✓						0.33
1989	✓	✓	✓	✓	✓	✓	✓						0.33
1990	✓	✓	✓	✓	✓	✓	✓						0.33

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation n/a

Stockwatering 25 Cal 1/4 Watered

Domestic n/a

Other (specify) n/a

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

n/a

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

n/a

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 3, 1991 at Goleta, California

Signature: Degay H. Epler

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus of water. Generally, appropriative rights may be exercised only when there is a surplus of water. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statement of Water Diversions and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water appropriated for future appropriators. (2) enables the State to notify such users if someone proposes a new appropriation of water. (3) assists the State to determine if additional upstream from their diversion, and (3) assists the State to determine if additional diversion concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Information Pertaining to Water Rights in California",  
"Water Rights for Stockponds Constructed Prior to 1969",  
"Statements of Water Diversions and Use",  
"Appropriation of Water in California".

Los Padres National Forest

Forest Notification No. 07-53-35

State Stream Code No. 3-106-08-02-8

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

NOTIFICATION OF EXISTING WATER USE

S 3458

TO THE STATE WATER RIGHTS BOARD OF THE STATE OF CALIFORNIA:

The UNITED STATES OF AMERICA, acting by and through the FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE, hereby notifies you of the following existing water uses and their locations within the CUYAMA RIVER watershed of the Los Padres (National Forest) (for National Forest System purposes):

(1) The source of the water used is UNNAMED CREEK

(If unnamed, so state)

California, which source is tributary to THIRTY-FIVE CAN.

(2) The point of diversion is:

(bearing on direction of course)

distances from section or town line or river bank within

the SW corner of Section 3, Range 17S

(40-acre subdivision) (soil and topography)

MD

Base and Meridian.

(3) The amount of water used is as follows: (Complete only applicable items)

(a) For diversion and use:

district: Los Padres

\*Strike out inapplicable words.

basis of measuring cut (c)

from effective date of application

and ending July of each year.

- (b) For diversion, storage, and later application to beneficial use: \_\_\_\_\_ acre-feet per annum, to be collected between \_\_\_\_\_ and \_\_\_\_\_ of each year.

- (4) The use(s) to which the water is put (check) the following:

STOCK WATER, WILDLIFE  
(domestic, irrigation, etc.)

- (5) The place where the water is used is UNADDED  
(not in a stream or creek, or local

designation), in the SW of Section 1,  
(40-acre subdivision)  
Township 223, Range 17E, MD. State and Moraine, in  
SAN LUIS OBISPO County, California

- (6) If said place of use of the water covered by this notification is also served by water covered by another notification or by a water right from the States (struck out)

- (a) The number of the Forest Management of the \_\_\_\_\_ National Forest is \_\_\_\_\_  
(b) The number of the State Water Right, No. 10 issued pursuant to application number \_\_\_\_\_

- (7) The water used covered by this notification commenced in the year: 1962.

- (8) If the water use covered by this notification covers an entity occupying National Forest land, who is entitled has permit

(a) The permittee is named ROBERT BECHINER.

\*Strike out inapplicable word.

(b) The permit was issued for the purpose(s) of \_\_\_\_\_  
STOCK WATER\_\_\_\_\_.

SAID PERMITTEE DOES NOT HAVE A WATER RIGHT UNDER CALIFORNIA LAW  
COVERING THIS USE.

The foregoing diversion and use are undertaken as a withdrawal and  
reservation of the affected land and water resources for National Forest  
System purposes. The effective date of said withdrawal and reservation  
is 1904.

A map, if available, showing points of diversion and use is attached  
hereto.

The United States of America does not claim title to the State  
in the interest of equity, and does not concede that the State has power  
to regulate the rights of the United States to use of the water.

DATED this 23 day of AUGUST, 1967.

UNITED STATES OF AMERICA

  
D. W. DeGarmo  
Regional Forester, California Region  
Forest Service

RS-2500-7 (Rev. 10/68)

DALE M.  
OCT 9 1967